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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,285	02/06/2004	Serafim Bochkarev	1793.1114	4961
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STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER FATEHI, PARHAM R	
			ART UNIT	PAPER NUMBER
			2194	
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			12/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/772,285

Applicant(s)

BOCHKAREV ET AL.

Examiner

Parham (Paul) R. Fatehi

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. Claims 1-12 are pending in this application. Applicant's amendments have been entered after the filing of RCE (9/14/2007). Applicant's amendments have obviated the Eisler (US 5,964,843) reference. Examiner has performed a new search which has resulted in a new ground of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over William Duncan (US 2003/0037179) [hereafter, Duncan].
4. As per claim 1, Duncan discloses requesting an operating system supporting a 16 bit device control portion to display a 32 bit dialogue window for exchange of information between a user and a predetermined device and not a 16 bit dialog window; receiving 16 bit dialogue window information of the device from the operating system; converting the received 16 bit dialogue window information to 32 bit dialogue window information; and displaying the 32 bit dialogue window corresponding to the converted 32 bit dialogue window information and not

displaying the 16 bit dialog window (par. 25, ln 1-2, a computer program product which as a result of, par. 29, ln 3-5, of the request of an application or operating system, par. 27, ln. 1-7 / par. 10, ln. 2-6, enables a 32-bit computer to use 16-bit device cards [and in other embodiments, is capable of 64-bit to 32-bit).

5. Moreover, Duncan does not explicitly teach the display of a dialogue window but mentions a computer program intended for a user that enables communication between a 32-bit computer and 16-bit driver. It would have been obvious to a person having ordinary skill in the art, at the time the invention was made, to include a 32-bit display at the operating system level (of the 32-bit operating system) that is communicating with a 16-bit driver in order to allow a user to interact with the computer program product that is enabling the communication between the OS and driver.
6. As per claim 2, the teachings of Duncan substantially disclose the invention as claimed and but does not explicitly disclose generating 32 bit base dialogue window information having no content of the 32 bit dialogue window; and modifying the 16 bit dialogue window information to the converted 32 bit dialogue window information, in response to the 32 bit base dialogue window information.
7. Moreover, Duncan teaches generating 32-bit information from 16-bit information without having information of the 32-bit information and conversion between the

32-bit and 16-bit information (Par. 10, ln 2-6 / par. 27, ln. 1-7). It would have been obvious to a person having ordinary skill in the art, at the time the invention was made, that the "information" converted between 32-bit and 16-bit, as taught by Duncan, would include display dialogue information in order for the user to be able to visually communicate with the program that controls the 16-bit driver.

Claim 2 is also rejected under the same reasons as claim 1 above.

8. As per claim 3, the teachings of Duncan substantially disclose the invention as claimed but do not explicitly disclose window page information in the conversion between 32-bit and 16-bit.
9. Moreover, it would have been obvious to a person having ordinary skill in the art, at the time the invention was made, that the "information" converted between 32-bit and 16-bit, as taught by Duncan, would include window page information in order for the user to be able to visually communicate with the program that controls the 16-bit driver. Claim 2 is also rejected under the same reasons as claims 1-2 above.
10. As per claim 4, the teachings of Duncan substantially disclose the invention as claimed and further disclose a first interface portion receiving 16 bit dialogue window information of the device from a first operating system supporting a 16 bit device control portion; a second interface portion receiving 32 bit dialogue

window information of the device from a second operating system supporting a 32 bit device control portion (par. 13, a first control block supporting 16 bit and a second control block supporting 32 bit); a bit converting portion converting the received 16 bit (par. 11, ln 1-3, converting portion). Claim 4 is also rejected under the same reasons as claims 1-2 above.

11. As per claim 5, the teachings of Duncan substantially disclose the invention as claimed. Claim 5 is rejected under the same reasons as claim 2 above.

12. As per claim 6, the teachings of Duncan substantially disclose the invention as claimed but does not explicitly teach the dialogue window information comprises a plurality of dialogue window page information, and wherein the dialogue window display portion displays as the converted 32 bit dialogue window information, converted 32 bit page information or 32 bit page information, in response to a request by a user for one of the dialogue window page information by requesting the bit converting portion or the second interface portion to provide the converted 32 bit page information or the 32 bit page information, respectively. (It was commonly known in the art, at the time the invention was made, that dialogue window information comprises dialogue window page information and that, in respect to the teachings of Duncan above [please refer to the rejection of claim 1 above], the dialogue window display displays as 32 bit in response to the request).

13. As per claim 7, the teachings of Duncan substantially disclose the invention as claimed and further discloses the 16 bit dialogue window information comprises a plurality of 16 bit dialogue window page information, and wherein the bit converting portion, in response to a request by the dialogue window display portion for a converted 32 bit dialogue window page information as the converted 32 bit dialogue window information, requests the first interface portion to provide one of the 16 bit dialogue window page information of the 16 bit dialogue window information, converts the requested 16 bit dialogue window page information to the converted 32 bit page dialogue window information, and outputs the converted 32 bit page information to the dialogue window display portion (par. 25, ln 1-2, a computer program product which as a result of, par. 29, ln 3-5, of the request of an application or operating system, par. 27, ln. 1-7 / par. 10, ln. 2-6, enables a 32-bit computer to use 16-bit device cards [and in other embodiments, is capable of 64-bit to 32-bit]).

14. Moreover, Duncan does not explicitly teach the display of a dialogue window but mentions a computer program intended for a user that enables communication between a 32-bit computer and 16-bit driver. It would have been obvious to a person having ordinary skill in the art, at the time the invention was made, to include a 32-bit display at the operating system level (of the 32-bit operating system) that is communicating with a 16-bit driver in order to allow a user to

interact with the computer program product that is enabling the communication between the OS and driver.

15. As per claim 8, the teachings of Duncan substantially disclose the invention as claimed and further discloses receiving a request from an operating system supporting a 16 bit device driver to display a 32 bit dialogue window for exchange of information between a user and the device and not a 16 bit dialogue window; receiving 16 bit dialogue window information of the device from the operating system; converting the received 16 bit dialogue window information to 32 bit dialogue window information; and displaying the 32 bit dialogue window corresponding to the converted 32 bit dialogue window information and not displaying the 16 bit dialog window.

16. Moreover, Duncan teaches generating 32-bit information from 16-bit information without having information of the 32-bit information and conversion between the 32-bit and 16-bit information (Par. 10, ln 2-6 / par. 27, ln. 1-7). It would have been obvious to a person having ordinary skill in the art, at the time the invention was made, that the "information" converted between 32-bit and 16-bit, as taught by Duncan, would include display dialogue information in order for the user to be able to visually communicate with the program that controls the 16-bit driver. Claim 8 is also rejected under the same reasons as claim 1 above.

17. As per claims 9 & 11, the teachings of Duncan substantially disclose the invention as claimed and further discloses enabling an interface to input device driver dialogue window information, based upon a number of bits supported by an operating system, and displaying the device driver dialogue window corresponding to the input device driver dialogue window information according to the enabled interface (par. 25, ln 1-2, a computer program product which as a result of, par. 29, ln 3-5, of the request of an application or operating system, par. 27, ln. 1-7 / par. 10, ln. 2-6, enables a 32-bit computer to use 16-bit device cards [and in other embodiments, is capable of 64-bit to 32-bit]).

18. Moreover, Duncan does not explicitly teach the display of a dialogue window but mentions a computer program intended for a user that enables communication between a 32-bit computer and 16-bit driver. It would have been obvious to a person having ordinary skill in the art, at the time the invention was made, to include a 32-bit display at the operating system level (of the 32-bit operating system) that is communicating with a 16-bit driver in order to allow a user to interact with the computer program product that is enabling the communication between the OS and driver.

19. As per claim 10, it is rejected under the same reasons as claim 1 above.

20. As per claims 12, the teachings of Duncan substantially disclose the invention as claimed and further disclose enabling a first number of bits interface or a first number of bits converter interface to the input device driver dialogue window information, based upon the number of bits supported by the operating system; receiving, by the first number of bits converter interface, a first number of bits dialogue window information of the device from the operating system; converting, by the first number of bits converter interface, the received first number of bits dialogue window information to a second number of bits dialogue window information; and displaying the device driver dialogue window corresponding to the converted second number of bits dialogue window information (par. 25, ln 1-2, a computer program product which as a result of, par. 29, ln 3-5, of the request of an application or operating system, par. 27, ln. 1-7 / par. 10, ln. 2-6, enables a 32-bit computer to use 16-bit device cards [and in other embodiments, is capable of 64-bit to 32-bit).

21. Moreover, Duncan does not explicitly teach the display of a dialogue window but mentions a computer program intended for a user that enables communication between a 32-bit computer and 16-bit driver. It would have been obvious to a person having ordinary skill in the art, at the time the invention was made, to include a 32-bit display at the operating system level (of the 32-bit operating system) that is communicating with a 16-bit driver in order to allow a user to

interact with the computer program product that is enabling the communication between the OS and driver.

Response to Arguments

22. Applicant's arguments, see REMARKS, filed 7/13/2007, with respect to the rejection(s) of claim(s) 1-12 under 102(b) as being anticipated by Eisler et al., (US 5,964,843) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Duncan (US 2003/0037179).


Conclusion


23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Parham (Paul) R. Fatehi whose telephone number is 571-270-1407. The examiner can normally be reached on M-Th 9:30AM-8PM EST, off Fridays.

24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571)272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

25. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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12/5/2007


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